PLANNING COMMISSION REPORT



MEETING DATE: September 27, 2006 ITEM NO. GOAL: Coordinate Planning to B	Balance Infrastructure
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SUBJECT

Lone Mountain Bank - 7-ZN-2006 & 17-UP-2006

REQUEST

Request approval for a rezoning from Single Family Residential District Environmentally Sensitive Lands, Foothills Overlay to Service Residential District, Environmentally Sensitive Lands (S-R ESL) and a conditional use permit for a bank on a 2.5 +/- acre parcel located at 7171 E. Lone Mountain Road

Key Items for Consideration:

- If the companion General Plan case (6-GP-2006) is not approved these two companion cases will have no validity since they would be inconsistent with the General Plan land use designation.
- The Foothills overlay district cannot be applied to any districts except single family districts of R1-35 through R1-190. This rezoning request, if approved, would eliminate the Foothills Overlay for the site and no longer assures compatibility with the unique character elements provided by this zoning district.
- Due to the site limitations, the physical location of improvements and access on this site are located next to existing and future residential uses to the west and south.
- There are a number of similar vacant corner properties, even at this intersection, with the same or similar residential zoning in the Desert Foothills area. If this request is approved, it may encourage additional requests for rezoning on corner properties in this general area.
- The application includes a request for reduced width for buffer corridors along both the N. Scottsdale Road and E. Lone Mountain Road frontages.

Related Policies, References:

- Desert Foothills Character Area Plan
- Foothills Overlay zoning district
- 17-UP-2006
- 6-GP-2006

OWNER

Diversified Partners-Lone Mt. Retail LLC 480-947-8800

APPLICANT CONTACT

Tom Rief

Land Development Services LLC

480-946-5020

LOCATION

7171 E. Lone Mountain Road



BACKGROUND

Zoning.

The site is zoned R1-70 ESL FO. The R1-70 zoning district allows for very low density single family neighborhood uses. The ESL overlay provides special standards intended to provide sensitive development in this desert setting. The FO overlay provides special standards intended to maintain the rural, open character of the existing neighborhoods in the area.

General Plan.

The General Plan Land Use Element designates the property as Rural Neighborhoods. This category includes low density (1 to 5 acre lots) residential neighborhoods. This type of use has been planned for this site since the original Desert Foothills plan was approved by Maricopa County in the late 1970s. This land use was further continued in the Scottsdale Foothills and Tonto Foothills plans that were approved by the City Council in the mid-1980s.

Context.

This site is located at the southwest corner of the intersection of E. Lone Mountain and N. Scottsdale Roads.

Adjacent Uses or Zoning:

•	North	Vacant parcel with R1-70 ESL FO (Single family in the ES	L
		and FO overlays)	

• South Existing single-family homes with R1-70 ESL FO (Single family in the ESL and FO overlays)

• East Vacant parcel with PCC ESL (HD) (Planned Community Center retail in the ESL overlay and using HD standards)

• West Vacant parcel with R1-70 ESL FO (Single family in the ESL and FO overlays – a small church is west of the vacant

parcel)

APPLICANT'S PROPOSAL

Goal/Purpose of Request.

This request is to rezone the property from a residential district (R1-70 ESL FO) to an office district (S-R ESL) and then to approve a conditional use permit for a bank facility. The S-R (Service Residential) allows for a range of office and limited service uses as well as multiple family dwelling units (about 12.4 per acre).

The applicant has also requested to consider reduced widths for the scenic corridor along N. Scottsdale Road (from 100 to 80 feet) and for the desert scenic buffer along E. Lone Mountain Road (from 40 to 30 feet). These standards are policy actions that have been established by the General Plan and the details have been approved by the Development Review Board. As such, these requests would be a change in established city policy, but are not an ordinance change.

Development Information.

• Existing Use: Vacant land

Proposed Use: Bank

Buildings/Description: Proposed bank building with drive-through

• Building Size: 4,600 sq ft (gross) / 7,000 sq. ft. under roof

• Parcel Size: 1.6 net acres

Building Height Allowed: 18 feet
Proposed Building Height: 18 feet
Floor Area: .07 FAR

• Required NAOS: 21,800 square feet

• Provided NAOS: 22,000 square feet (buffer)

• Total Open Space Provided: 33,300 square feet

• Other: Buffer setback of 30 feet along E. Lone

Mountain and scenic corridor setback of

80 feet along N. Scottsdale Road

IMPACT ANALYSIS

Traffic.

This proposal would create traffic operations conflicts due to the proximity of a commercial driveway entrance to a major intersection. Currently, E.Lone Mountain Road is a narrow two-lane roadway and turning movements from the west-bound lane of E. Lone Mountain Road into this site could cause traffic to back up in a location that is already complicated due to the variety of traffic movements occurring at the intersection of N. Scottsdale Road, which is only 300 feet to the east. If and when E. Lone Mountain Road were to be upgraded to a 4-lane roadway these conflicts would remain or possibly worsen since this road may not have a median. If a median is built, the conflicts with left turns into the site would be relieved.

Parking.

All parking requirements will be met on-site (21 spaces are required, 29 are proposed).

Police/Fire.

The nearest Fire Station site in located about 2 miles to the east of this site on Pima Road.

Open space, scenic corridors.

The site plan indicates the required open space and NAOS areas are provided. However, the applicant proposes an 80 feet wide scenic corridor along N. Scottsdale Road and a 30 foot buffer along E. Lone Mountain Road, both of which are less than the normal standard provided for by approved city policies. The standards for 100 feet and 40 feet, respectively, were reaffirmed by City Council action regarding these corridors in late 2005 and this modification would mark a change in this policy direction.

Policy Implications.

This action involves the elimination of the Foothills Overlay on this property and also could be seen by owners of similarly sited properties as a precedence to allow rezoning on their sites. It also would result in a reduction of the normal scenic corridor standard. The standard of a 100 foot wide corridor has

applied to non-residential properties for the past 25 years. Approval of this request would likely create a precedent that many other properties would want to follow.

Use Permit Criteria.

Conditional use permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and the City Council has found as follows:

- A. That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:
 - 1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
 - An ATM facility on this site would draw customers at times of the night when adjacent residential areas have little or no traffic or activity. Lighting needed to provide security for this use would be on at times well past what is typical for this neighborhood and would likely be brighter than what is usual in this low density setting.
 - 2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
 - Off-hour traffic would not be a typical occurrance for the adjacent residential areas and could result in neighborhood conflicts.
 - 3. There are no other factors associated with this project that will be materially detrimental to the public.
 - The driveway location could pose safety problems due to its close proximity to the nearby intersection of E. Lone Mountain Road and N. Scottsdale Road.
- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.
 - Although the building is proposed to be of similar size and height as nearby homes, the traffic patterns and lighting would be incompatible with the most immediate neighborhood context.
- C. The additional conditions specified in Section 1.403, as applicable, have been satisfied.

This proposal is consistent with the specific provisions for bank use permits contained in this section.

Community Involvement.

The applicant has conducted extensive community involvement, including the notification of property owners within 750 feet, open houses, and contact of nearby Homeowners Associations. The general comments by many nearby residents have been favorable. However, the comments by interested residents of the general area have not been favorable.

Community Impact.

This application constitutes spot zoning that would set an undesirable

precedent in this area, with the potential for far-reaching impacts on properties in the Desert Foothills area. At a minimum, it could encourage the owners of other vacant lands at this same intersection to seek zoning changes on their properties.

STAFF

Recommended Approach:

RECOMMENDATION

Staff recommends denial of the rezoning case (7-ZN-2006) as well as the request for reduced scenic corridor and buffer corridors. Staff has determined that this proposal does not meet the use permit criteria set out in the ordinance and recommends denial of case 17-UP-2006. Furthermore, as a matter of zoning procedure, if the rezoning case is not approved, the use permit case cannot be approved.

If the Planning Commission chooses to recommend these cases for approval to the City Council, stipulations and conditions are attached to this report.

RESPONSIBLE

Planning and Development Services Department

DEPT(S)

Current Planning Services

STAFF CONTACT(S)

Don Hadder Principal Planner 480-312-2352

E-mail: dhadder@ScottsdaleAZ.gov

APPROVED BY

Don Hadder Report Author

Lusia Galav, AICP Current Planning Director

ATTACHMENTS

- 1. Stipulations
- 1A. Additional Information
- 2. Applicant's Narrative
- 3. Context Aerial
- 3A. Aerial Close-Up
- 4. Zoning Map
- 5. Traffic Impact Summary
- 6. Citizen Involvement
- 7. City Notification Map
- 8. Site Plan
- 9. Context Photos

STIPULATIONS FOR CASES 7-ZN-2006 & 17-UP-2006

PLANNING/ DEVELOPMENT

- CONFORMANCE TO SITE PLAN. Development shall conform with the site plan submitted by Land Development Services LLC and dated 6/22/2006. These stipulations take precedence over the above-referenced site plan. Any proposed significant change, as determined by the Zoning Administrator, shall be subject to subsequent public hearings before the Planning Commission and City Council.
- 2. BUFFER WALLS: A minimum 6 foot high buffer wall shall be provided along the west side of the drive on the west side of the building in order to buffer the adjacent properties from headlights and traffic noise.
- 3. SCENIC CORRIDORS. The scenic corridor width along Scottsdale Road shall be a minimum of 100 feet, measured from the outside edge of the street right-of-way. Unless otherwise approved by the Development Review Board, the scenic corridor shall be left in a natural condition.
- 4. PEDESTRIAN ACCESS. With the Development Review Board submittal, the developer shall submit a plan providing pedestrian access to the commercial areas on and adjacent to the site.

ENVIRONMENTAL DESIGN

- 1. NATURAL AREA OPEN SPACE (NAOS)-IDENTIFICATION. With the Development Review Board submittal, the developer shall submit a plan for the site identifying the required NAOS and a table indicating the required amount of NAOS, the percentage of slope, and the type of land form.
- 2. NATURAL AREA OPEN SPACE-DEDICATION, CONVEYANCE AND MAINTENANCE. With the Development Review Board submittal, the developer shall submit documents, to the satisfaction of city staff, showing that all required NAOS shall be dedicated or conveyed in conformance with the <u>Scottsdale Revised Code</u> and permanently maintained as NAOS.
- 3. NATURAL AREA OPEN SPACE-STAKING. Before issuance of any building permit for the site, the developer shall survey all NAOS boundaries and stake all boundaries between NAOS areas and development, in conformance with the approved grading plan. Such surveying and staking shall be subject to inspection and approval prior to construction in each development phase.
- 4. NATURAL AREA OPEN SPACE-PROTECTION DURING CONSTRUCTION. Before any construction on a lot, the developer shall protect the NAOS on and adjacent to the lot to the satisfaction of city staff, so that access to the construction is within the construction envelope or designated driveway.
- NATURAL AREA OPEN SPACE-ADJACENT FENCES. All fences located adjacent to NAOS shall be constructed as view fences with three (3) feet or less of solid, opaque wall above the natural grade.
- 6. NATURAL AREA OPEN SPACE-REVEGETATION. Before final site inspection, the developer shall revegetate NAOS in conformance with the Scottsdale Zoning Ordinance, to the satisfaction

of city staff.

- 7. HEIGHT OF NON-INDIGENOUS PLANT MATERIAL. Non-indigenous plant material which has the potential to reach a mature height greater than 20 feet shall not be planted on the site. A plant list that complies with this stipulation is subject to Development Review Board approval. The developer shall state this stipulation on the final plans.
- 8. NON-PROTECTED NATIVE PLANTS. Native plants which are not protected by the <u>Scottsdale Revised Code</u> native plant provisions, but which are necessary for on-site revegetation, are suitable for transplanting, or are necessarily uprooted for road building or similar construction, as determined by city staff, shall be stockpiled during construction and shall be replanted in on-site landscape areas by the developer before the final site inspection.
- OUTDOOR LIGHTING. The maximum height of any outdoor lighting source shall be 14 feet above natural grade at the base of the light standard except for recreation uses, which shall comply with the outdoor lighting standards of the <u>Scottsdale Zoning Ordinance</u>.
- 10. MAINTENANCE AND PRESERVATION-RECORDED AGREEMENT. Before any building permit for the site is issued, the developer shall record an agreement, satisfactory to city staff, detailing the maintenance and preservation by the developer and its successors of all common areas, landscape buffers, natural areas, drainage easements and private access ways on the site and abutting rights-of-way. These designated areas shall not be accepted for maintenance or be accepted for ownership by the city without the approval of the City Council.
- 11. FINAL CONSTRUCTION ENVELOPES. Before issuance of any building permit for the site, the developer shall stake the construction envelopes for inspection by city staff. All construction shall take place inside the construction envelopes. With the final plat submittal, the developer shall submit an unrecorded supplemental document identifying the construction envelopes.

CIRCULATION

1. STREET CONSTRUCTION. Before issuance of any certificate of occupancy for the site, the developer shall dedicate the following right-of-way and construct the following street improvements, in conformance with the <u>Design Standards and Policies Manual</u>:

Street Name/Type	Dedications	Improvements	Notes
Scottsdale Road	75 feet half-street	Half street, Fig. 5.3-1	Α
Major Arterial	(50 feet existing)	_	
Lone Mountain Road	55 feet half-street	Half street, Fig. 5.3-4	Α
Minor Arterial	(40 feet existing)	_	

- a. The developer shall provide an eight foot sidewalk along Scottsdale Road and Lone Mountain Road or an approved alternate pedestrian facility, as determined by city staff.
- b. The developer shall provide any improvements supported by the approved traffic impact study for the site, as determined by the city staff.
- 2. IN LIEU PAYMENTS. At the direction of city staff, before issuance of any building permit for the site, the developer shall not construct the street improvements specified by the **Notes** in the stipulation above, but shall make an in lieu payment to the city. Before any final plan approval, the developer shall submit an engineer's estimate for plan preparation, design and construction costs of a Major Arterial half street for Scottsdale Road and a Minor Arterial for Lone Mountain

Road, including 2 lanes of pavement with curb and gutter, half median improvements (curb, gutter and landscaping), and any required drainage structures. The in lieu payment shall be based on this estimate, plus five percent (5%) contingency cost and other incidental items, as determined by city staff.

- 3. ACCESS RESTRICTIONS. Before issuance of any certificate of occupancy for the site, the developer shall dedicate the necessary right-of-way, as determined by city staff, and construct the following access to the site. Access to the site shall conform to the following restrictions (distances measured to the driveway or street centerlines):
 - a. Scottsdale Road The developer shall dedicate a one foot wide vehicular non-access easement on this street along the site frontage.
 - b. Lone Mountain Road There shall be a maximum of one site driveway, with a minimum of 275 feet between the driveway and street intersection. The developer shall dedicate a one foot wide vehicular non-access easement on this street along the site frontage except at the approved driveway location.
 - c. The developer shall install a median of sufficient size and length, as determined by Transportation staff, that will preclude any left turns from Lone Mountain Road into this site or from this site west bound on Lone Mountain Road.
- 4. AUXILIARY LANE CONSTRUCTION. Before issuance of any certificate of occupancy for the site, the developer shall dedicate the necessary right-of-way, as determined by city staff, and construct right-turn deceleration lanes at all site entrances on Lone Mountain Road, in conformance with the Design Standards and Policies Manual.
- 5. TRAFFIC SIGNAL PARTICIPATION. Before issuance of any building permit for the site, the developer shall pay to the city 100% of the design and construction costs, as determined by city staff, for the relocation of a traffic signal at the intersection of Scottsdale Road and Lone Mountain Road.
- 6. MULTI-USE TRAIL. Before any certificate of occupancy is issued for the site, the developer shall construct a minimum 8 foot wide multi-use trail along Scottsdale Road. The trail shall be contained within a minimum 15 foot wide public access easement, which the developer shall dedicate to the city within twelve (12) months of City Council approval. The alignment of the trail shall be subject to approval by the city's Equestrian Coordinator prior to dedication. The trail shall be designed in conformance with the <u>Design Standards and Policies Manual</u> Landscaping and Parks.

DRAINAGE AND FLOOD CONTROL

- 1. CONCEPTUAL DRAINAGE REPORT. With the Development Review Board submittal, the developer shall submit a conceptual drainage report and plan subject to city staff approval. The conceptual report and plan shall conform to the <u>Design Standards and Policies Manual</u> Drainage Report Preparation. In addition, the conceptual drainage report and plan shall:
 - a. Identify all major wash corridors entering and exiting the site, and calculate the peak discharge (100-yr, 6-hr storm event) for a pre- verses post-development discharge comparison of ALL washes which exit the property.
 - b. Determine easement dimensions necessary to accommodate design discharges.
 - c. Demonstrate how the storm water storage requirement is satisfied, indicating the location, volume and drainage area of all storage.
 - d. Include flood zone information to establish the basis for determining finish floor elevations in conformance with the <u>Scottsdale Revised Code</u>.
 - e. Include a complete description of requirements relating to project phasing.

- 2. FINAL DRAINAGE REPORT. With the improvement plan submittal to the Engineering Plan Review Division, the developer shall submit a final drainage report and plan subject to city staff approval. The final drainage report and plan shall conform to the <u>Design Standards and Policies</u> Manual Drainage Report and Preparation. In addition, the final drainage report and plan shall:
 - a. Demonstrate consistency with the approved master drainage plan and report.
 - (1). Any design that modifies the approved master drainage report requires from the developer a site-specific addendum to the final drainage report and plan, subject to review and approval by the city staff.
 - (2). Addendum generated by the final drainage analysis for this site shall be added to the appendix of the final drainage report.
 - b. Provide final calculations and detailed analysis that demonstrate consistency with the accepted conceptual drainage plan and report.
- STORM WATER STORAGE REQUIREMENT. Before improvement plan approval, the developer shall submit a final drainage report and plan which calculates the storm water storage volume required, Vr, and the volume provided, Vp, using the 100-year, 2-hour storm event.
- 4. STORM WATER STORAGE EASEMENTS. With the Development Review Board submittal, the developer shall submit a site plan subject to city staff approval. The site plan shall include and identify tracts with easements dedicated for the purposes of storm water storage, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual.
- 5. DRAINAGE EASEMENTS. Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the <u>Scottsdale Revised Code</u> and the <u>Design Standards and Policies Manual</u>, all drainage easements necessary to serve the site.

VERIFICATION OF COMPLIANCE

- 1. REQUIRED SPECIAL INSPECTIONS. Before the approval of the improvement plans, the Project Review Division staff shall specify those drainage facilities that shall be required to have Special Inspections. See Section 2-109 of the Design Standards and Policies Manual for more information on this process.
- CONDITION FOR ISSUANCE OF GRADING & DRAINAGE PERMIT. Before the issuance of a Grading & Drainage Permit:
 - a. The developer shall certify to the Project Review Division, that it has retained an Inspecting Engineer by completing Part I (Project Information) and Part II (Owner's Notification of Special Inspection) of the Certificate of Special Inspection of Drainage Facilities (CSIDF); and,
 - b. The Inspecting Engineer shall seal, sign and date Part III (Certificate of Responsibility) of the CSIDF.
- CONDITION FOR ISSUANCE OF CERTIFICATE OF OCCUPANCY AND/OR LETTER OF ACCEPTANCE. Before the issuance of a Certificate of Occupancy and/or a Letter of Acceptance:
 - a. The Inspecting Engineer shall seal, sign and date the Certificate of Compliance form.
 - b. The developer shall submit all required Special Inspection Checklists and the completed Certificate of Compliance form to the Inspection Services Division. The Certificate of Compliance form shall be sealed, signed and dated by the Inspecting Engineer, and shall be attached to all required Special Inspection Checklists completed by the Inspecting Engineer.

4. AS-BUILT PLANS. City staff may at any time request the developer to submit As-built plans to the Inspection Services Division. As-built plans shall be certified in writing by a registered professional civil engineer, using as-built data from a registered land surveyor. As-built plans for drainage facilities and structures shall include, but are not limited to, streets, lot grading, storm drain pipe, valley gutters, curb and gutter, flood walls, culverts, inlet and outlet structures, dams, berms, lined and unlined open channels, storm water storage basins and underground storm water storage tanks, bridges as determined by city staff.

WATER

- BASIS OF DESIGN REPORT (WATER). Before the improvement plan submittal to the Engineering Plan Review Division, the developer shall submit a basis of design report and plan subject to Water Resources Department approval. The basis of design report shall conform to the Design Standards and Policies Manual. In addition, the basis of design report and plan shall:
 - a. Identify the location, size, condition and availability of existing water lines and water related facilities such as water valves, water services, fire hydrants, back-flow prevention structures, etc.
 - b. Identify the timing of and parties responsible for construction of all water facilities.
 - c. Include a complete description of requirements relating to project phasing.
- APPROVED BASIS OF DESIGN REPORT. Before the improvement plan submittal to the Engineering Plan Review Division, the developer shall have obtained approval of the Basis of Design Report.
- 3. NEW WATER FACILITIES. Before the issuance of Letters of Acceptance by the Inspection Services Division, the developer shall provide all water lines and water related facilities necessary to serve the site. Water line and water related facilities shall conform to the city Water System Master Plan.
- 4. WATERLINE EASEMENTS. Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the <u>Scottsdale Revised Code</u> the <u>Design</u> Standards and Policies Manual, all water easements necessary to serve the site.

WASTEWATER

- BASIS OF DESIGN REPORT (SANITARY SEWER).). Before the improvement plan submittal to the Project Review Division, the developer shall submit a basis of design report and plan subject to Water Resources Department approval. The basis of design report shall be in conformance with the <u>Design Standards and Policies Manual</u>. In addition, the basis of design report and plan shall:
 - a. Identify the location of, the size, condition and availability of existing sanitary sewer lines and wastewater related facilities.
 - b. Identify the timing of and parties responsible for construction of all sanitary sewer facilities.
 - c. Include a complete description of requirements relating to project phasing.
- 2. APPROVED BASIS OF DESIGN REPORT. Before the improvement plan submittal to the Project Review Division, the developer shall have obtained approval of the Basis of Design Report.
- 3. NEW WASTEWATER FACILITIES. Before the issuance of Letters of Acceptance by the Inspection Services Division, the developer shall provide all sanitary sewer lines and wastewater

- related facilities necessary to serve the site. Sanitary sewer lines and wastewater related facilities shall conform to the city <u>Wastewater System Master Plan</u>.
- 4. SANITARY SEWER EASEMENTS. Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the <u>Scottsdale Revised Code</u> and the <u>Design Standards and Policies Manual</u>, all sewer easements necessary to serve the site.

OTHER REQUIREMENTS

1. ENVIRONMENTAL PROTECTION AGENCY (EPA) REQUIREMENTS. All construction activities that disturb five or more acres, or less than five acres if the site is a part of a greater common plan, shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities. [NOI forms are available in the City of Scottsdale One Stop Shop, 7447 East Indian School Road, Suite 100. Contact Region 9 of the U.S. Environmental Protection Agency at 415-744-1500, and the Arizona Department of Environmental Quality at 602-207-4574 or at web site http://www.epa.gov/region.

The developer shall:

- a. Submit a completed Notice of Intent (NOI) to the EPA.
- b. Submit a completed Storm Water Pollution Prevention Plan (SWPPP) to the EPA.
- 2. NOTICE OF INTENT (NOI). With the improvement plan submittal to the Engineering Plan Review Division, the developer shall submit a copy of the NOI.
- 3. SECTION 404 PERMITS. With the improvement plan submittal to the Engineering Plan Review Division, the developer' engineer must certify that it complies with, or is exempt from, Section 404 of the Clean Water Act of the United States. [Section 404 regulates the discharge of dredged or fill material into a wetland, lake, (including dry lakes), river, stream (including intermittent streams, ephemeral washes, and arroyos), or other waters of the United States.]
- 4. DUST CONTROL PERMITS. Before commencing grading on sites 1/10 acre or larger, the developer shall have obtained a Dust Control Permit (earth moving equipment permit) from Maricopa County Division of Air Pollution Control. Call the county 602-507-6727 for fees and application information.
- 5. UTILITY CONFLICT COORDINATION. With the improvement plan submittal to the Engineering Plan Review Division, the developer shall submit a signed No Conflict form (not required for city owned utilities) from every affected utility company.
- 6. ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIREMENTS (ADEQ). The developer shall be responsible for conformance with ADEQ regulations and requirements for submittals, approvals, and notifications. The developer shall demonstrate compliance with Engineering Bulletin #10 Guidelines for the Construction of Water Systems, and Engineering Bulletin #11 Minimum Requirements for Design, Submission of Plans, and Specifications of Sewerage Works, published by the ADEQ. In addition:
 - a. Before approval of final improvement plans by the Engineer Plan Review Division, the developer shall submit a cover sheet for the final improvement plans with a completed signature and date of approval from the Maricopa County Environmental Services Department (MCESD).

- b. Before issuance of encroachment permits by city staff, the developer shall provide evidence to city staff that a Certificate of Approval to Construct Water and/or Wastewater Systems has been submitted to the MCESD. This evidence shall be on a document developed and date stamped by the MCESD staff.
- c. Before commencing construction, the developer shall submit evidence to city staff that Notification of Starting Construction has been submitted to the MCESD. This evidence shall be on a document developed and date stamped by the MCESD staff.
- d. Before acceptance of improvements by the city Inspection Services Division, the developer shall submit a Certificate of Approval of Construction signed by the MCESD and a copy of the As-Built drawings.
 - (1). Before issuance of Letters of Acceptance by the city Inspection Services Division, the developer shall:
 - (2). Provide to the MCESD, As-Built drawings for the water and/or sanitary sewer lines and all related facilities, subject to approval by the MCESD staff, and to city staff, a copy of the approved As-Built drawings and/or a Certification of As-Builts, as issued by the MCESD.
 - (3). Provide to the MCESD a copy of the Engineers Certificate of Completion with all test results, analysis results, and calculations, as indicated on the form.
 - (4). Provide to the MCESD a copy of the Request for Certificate of Approval of Construction of water and/or sanitary sewer lines with all appropriate quantities.
 - (5). Provide the city Inspection Services Division a copy of the Certificate of Approval of Construction, as issued by the MCESD.

ADDITIONAL INFORMATION FOR CASE 7-ZN-2006 & 17-UP-2006

PLANNING/DEVELOPMENT

- DEVELOPMENT CONTINGENCIES. The approved development program, including intensity, may be changed due to drainage issues, topography, NAOS requirements, and other site planning concerns which will need to be resolved at the time of preliminary plat or site plan approval. Appropriate design solutions to these constraints may preclude achievement of the proposed development program.
- DEVELOPMENT REVIEW BOARD. The City Council directs the Development Review Board's attention to:
 - a. a plan indicating the treatment of washes and wash crossings,
 - b. wall design,
 - c. the type, height, design, and intensity of proposed lighting on the site, to ensure that it is compatible with the adjacent use,
 - d. scenic corridors and buffered parkways,
 - e. landscape buffers on public and/or private property (back-of-curb to right-of-way or access easement line included).
 - f. major stormwater management systems,
 - g. alterations to natural watercourses (all watercourses with a 100 year flow of 250 cfs to 749 cfs),
 - h. walls adjacent to Vista Corridors and NAOS tracts and corridors,
 - i. signage.
- 3. REVEGETATION OF SCENIC CORRIDORS. The Development Review Board may approve revegetation of the Scenic Corridors.
- 4. NATIVE PLANT PRESERVATION. The owner shall secure a native plant permit as defined in the <u>Scottsdale Revised Code</u> for each parcel. City staff will work with the owner to designate the extent of the survey required within large areas of proposed undisturbed open space. Where excess plant material is anticipated, those plants shall be offered to the public at no cost to the owner in accordance with state law and permit procedure or may be offered for sale.

ENGINEERING

- 1. RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE. The developer shall be responsible for all improvements associated with the development or phase of the development and/or required for access or service to the development or phase of the development. Improvements shall include, but not be limited to washes, storm drains, drainage structures, water systems, sanitary sewer systems, curbs and gutters, paving, sidewalks, streetlights, street signs, and landscaping. The granting of zoning/use permit does not and shall not commit the city to provide any of these improvements.
- 2. FEES. The construction of water and sewer facilities necessary to serve the site shall not be inlieu of those fees that are applicable at the time building permits are granted. Fees shall include, but not be limited to the water development fee, water resources development fee, water recharge fee, sewer development fee or development tax, water replenishment district charge, pump tax, or any other water, sewer, or effluent fee.
- 3. STREET CONSTRUCTION STANDARDS. The streets for the site shall be designed and

constructed to the standards in the Design Standards and Policies Manual.

4. CITY CONTROL OF ACCESS. The city retains the right to modify or void access within city right-of-way. The city's responsibility to promote safe conditions for the traveling public takes precedence over the stipulations above.

Project Narrative:

Rezoning & Use Permit Lone Mountain Bank site
2.5 acres @ SWC Lone Mountain
& Scottsdale Roads

133-PA-06

Project Overview

This request to rezone a 2.5 acre parcel (the Property) located at the southwest corner of Lone Mountain & Scottsdale Roads from R1-70 ESL-FO to S-R ESL-FO with a Use Permit for a Bank.. The Property is an undeveloped parcel that was annexed into the City and down zoned from Rural-43 (County) to R1-70 (City) in 1984. Across the street to the east is the planned Pederson Shopping Center, a 14.7 acre commercial site with close to 100,000 s.f. of retail space. The shopping center property was zoned for commercial use prior to annexation. The subject Property is located within the Desert Foothills Character Area and complies with elements of the Scottsdale Road Scenic Corridor Design Guidelines, Great Sonoran Desert Design Concepts and the Sensitive Design Principles.

The location of this 2.5 (gross) acre Property at the SWC of two major roadways – Lone Mountain & Scottsdale Roads is unique in-as-much as the Property is required to dedicate additional R.O.W. for Lone Mountain & Scottsdale Roads. There is also a requirement for dedication of a scenic corridor / open space setback along both Scottsdale & Lone Mountain Roads. The impacts from existing and future roadway needs, R.O.W. and scenic corridor setbacks and the Pederson Shopping Center result in a single family lot of-which its value as a lot for a single-family home is dramatically diminished.

The purpose of the S-R District is to provide professional office uses at a "residential scale and character", intending "to serve nearby residential and commercial areas of the community as a whole." The S-R development standards are strict for the purpose of protecting the low-intense residential character of the area while allowing flexibility to promote a viable accessory use to the neighborhood. The zoning ordinance states Use Permits are granted to property owners to allow specific uses in a District. A specific site plan and building elevations have been submitted as part of the Use Permit application. Approval of these elements will ensure the compatible nature of the project. Under separate application a General Plan amendment has been filed changing the designation of the Property from Rural residential to Office. The rezoning & use permit application is consistent with the General Plan amendment.

Key Elements:

- The use is compatible with the proposed General Plan amendment
- The Property is located at the intersection of two major arterial roadways
- Additional R.O.W. and scenic corridor dedications result in serious design constraints
- The Bank use offers a transition and provides a buffer from the shopping center and roadway activities and the residential neighborhood the southwest
- The bank use in the S-R setting is compatible with the surrounding area
- Impacts of traffic generated by the use are minimal and are easily accommodated for by the current street system
- Compliance with the Desert Foothills Character Plan and the Foothills Overlay district
- Dedication of Scottsdale Road scenic corridor and significant open space corridors
- Preservation of the natural desert landscape

- The proposal meets all Use Permit criteria
- Neighborhood support, no known opposition from local residents
- Proposed 18' maximum building height
- Appropriate development that responds to the character elements surrounding the site that offers a long-term solution to the challenges faced by the Property.

Proposal:

The request is to rezone the 2.5 acre parcel from single-family residential (R1-70 ESL, FO) to Service Residential (S-R ESL, FO) with a use permit for a 4,500 +/- s.f. single-story bank. The proposal is to develop the site consistent with the S-R development standards as well as the regulations & guidelines outlined in the Environmentally Sensitive Lands Ordinance, Foothills Overlay and Desert Foothills Character Area with a strong rural character and scale.

Access to the site comes from a single driveway on Lone Mountain Road. The site has a driveway that loops around the building with the drive-thru area on the east side of the building, away from adjacent residential properties. Substantial building setbacks buffer adjacent properties from the bank building and site improvements. The driveway is paved but the parking area is a type of compacted granite. This helps maintain the rural character of the site while reducing the amount of pavement. The building maintains a neighborhood scale and character by utilizing rustic earth tone materials applied with a sense of rural architecture.

Right-of-Way dedications for Scottsdale Road and Lone Mountain Road, along with the Scottsdale Road Scenic Corridor dedication and Lone Mountain Scenic Setback requirements reduce the available area for development from 2.5 acres to 1.6 acres. These constraints, when added to the existing and future impacts on the property from the adjacent arterial roads and shopping center suggest single-family development of the property is not the most sensitive approach. City guidelines call for a Scenic Corridor of 50 – 100 feet. Residential lots that are not part of a master plan community provide a 50' Scenic setback while commercial uses provide a 100' Scenic setback. The proposed Service Residential (S-R) District IS residential in scale and character and the plan provides for a Scenic Corridor along Scottsdale Road that averages 100'. The open space setback along Scottsdale Road results in the building being setback @ 110' from the R.O.W. line. A Scenic setback along Lone Mountain Road of 30' and overall building setback in excess of 100' is provided as well. Were this site to develop as a single-family lot, these open space and Scenic Corridor dedications would not be met. This is evident by reviewing the existing conditions of similar type single-family lots developed along Scottsdale Road. The bank use will provide a local service and employment opportunity for the existing residential area. Single-family development on the property would create potential conflict between the owner and adjacent uses.

Compatibility with the Desert Foothills Character Area Plan:

The Desert Foothills Character Area was created to promote the character of the area by establishing development guidelines while recognizing traditional development considerations without infringing on private property rights. Growth in this Area is categorized by large lot single-family custom home-sites not part of a master planned community and as such have a variety of development considerations.

Preserve the natural, visual qualities of the upper desert by using desert sensitive techniques. - This application provides for scenic corridor dedications, open space buffers and building setbacks that enhance the visual open space character of the area. Desert earth tone colors and materials on the building follow the principal of "minimal visual impact". A limited building height of 18 feet and maintenance of natural desert vegetation enhance the Sonoran desert setting.

Promote connected areas of desert open space and trails. -

The site provides a substantial scenic corridor on Scottsdale Road and Lone Mountain Road. Extended building setbacks and additional open space limit the visual impact of the development while providing connectivity of open space and view corridors in the area. The opportunities for trail connections are also available. Berming and landscape screening is proposed as opposed to constructing large, expansive walls. This provides a sense of wide-open space and maintains wildlife corridors.

Identify and celebrate the rural desert character of the area. -

This neighborhood consists of an assortment of custom and semi-custom homes with diverse lifestyles from equestrian to suburban. This proposal draws from that identity a site plan and building elevation that follows a rustic rural scale consistent with the surrounding neighborhood. The building uses non-reflective materials and the architect has considered all four sides of the building as a whole element to the setting of the neighborhood. Only low-level lighting and or recessed lights for security purposes will be provided.

Infrastructure -

Unlike single-family lots developed in this area, drainage and/or roadway improvements required of this development would be part of the development review process. Required drainage structures will blend into the natural setting by using colors and textures reflective of the surrounding conditions. Utilities will be located underground and the owner will work with utility providers to blend the colors of above ground cabinets with the surrounding desert and screen with vegetation where applicable.

Use Permit Criteria:

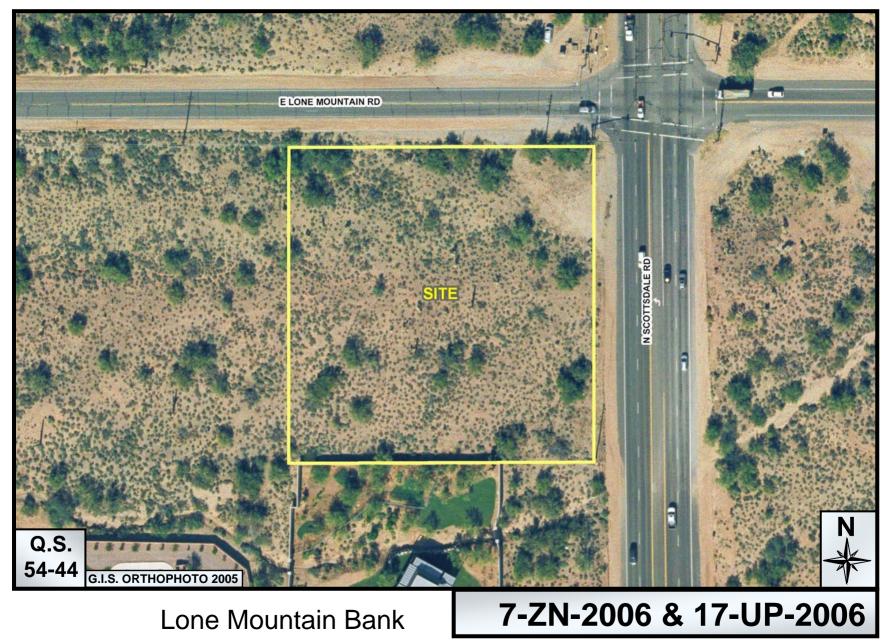
- A. Granting of the use permit will not be detrimental to the public health, safety or welfare in terms of:
 - 1. Damage or nuisance arising from noise, smoke, odor, dust vibration or illumination:
 - The proposed bank does not generate adverse effects from noise, smoke, odor, dust, vibration or illumination. Primary business activity occurs within the building. The drive-thru lanes are located away from adjacent residential property. Building and security lighting will be recessed, shielded and low level
 - 2. Impact on surrounding areas resulting from an unusual volume or character of traffic:
 - The surrounding roadways can accommodate any increase in traffic generated by the use. On-site traffic flow and access to Lone Mountain Road eliminate potential traffic impacts to adjacent properties. The traffic study demonstrates that this use will not generate an unusual volume or character of traffic.
 - The intersection of Scottsdale and Lone Mt. has an average daily volume of 26,000 vehicles.

- Weekday trip generation for the Pederson Shopping Center on the SE corner is anticipated to be 6,923 vehicles.
- Estimated total weekday trip generation for a typical bank of this size is 980 vehicles with:
 - O Weekday AM Peak Hour Traffic: 144
 - Weekday PM Peak Hour Traffic: 241
- 3. There are no other factors associated with this project that will be materially detrimental to the public
 - No detrimental factors are expected with the proposed development of the site
- B. The characteristics of the proposed use are reasonably compatible with the types of uses permitted in the surrounding area:
 - The proposed bank use with its rural character building design, limited size and abundant open space is compatible with the adjacent properties a swell as the commercial uses planned across the street.
- C. The additional conditions specified in Sec. 1.403, as applicable, have been satisfied:
 - 1. 5,000 square foot maximum gross floor area:
 - The proposed bank has a gross floor area less than 5,000 s.f.
 - 2. If drive-thru services are included, there shall be no more than two (2) drive-thru lanes:
 - The plan provides two (2) drive-thru lanes
 - 3. A 50 foot side yard & rear yard setback is required from single-family residential districts:
 - The Property is adjacent to single-family zoned property on its south and west sides. The site plan provides a 50 foot building setback on the south and west.
 - 4. A minimum six-foot high masonry wall buffer shall be provided on all property lines that abut a residential district. The wall shall be contiguous to a minimum five foot wide planter:
 - The residential property to the south has already been developed with a minimum sixfoot high masonry wall. The site plan provides a 20 foot landscape setback along the south property line. This exceeds the five foot wide planter requirement.
 - The property to the west is undeveloped. The site plan provides a 20 foot landscape setback. Drainage and stormwater retention improvements will occur in this area as well. The applicant has shared the proposed site plan and development information with the owners of the property to the west. Currently, they do not wish to see a six foot wall adjacent to their property. However, if stipulated, a six foot wall will be constructed along the western side of the Property.

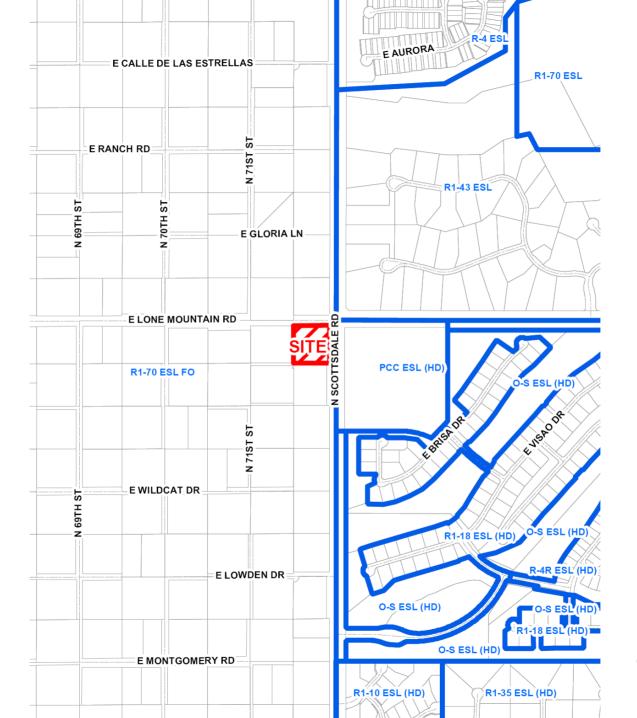


Lone Mountain Bank

7-ZN-2006 & 17-UP-2006



Zoning Map



7-ZN-2006 ATTACHMENT #4

LAND DEVELOPMENT SERVICES, L.L.C.

Feasibility Value Engineering Project Management Municipal Coordination June 22, 2006

Phillip H. Kercher, P.E., PTOE Senior Traffic Engineer City of Scottsdale 7447 E. Indian School Rd, Suite 205 Scottsdale, Arizona 85251

Re:

Traffic Analysis for Lone Mountain Bank site SWC Scottsdale Road and Lone Mountain Road

Dear Mr. Kercher:

The referenced location is the site of a proposed rezoning to the S-R (Service Residential) District for the development of a bank with drive-thru. The proposed site consists of approximately 2.5 gross acres in the immediate southwest corner of the intersection of Scottsdale Road and Lone Mountain Road. The site is approximately 300 feet by 300 feet. A 55' Roadway easement exists along the Scottsdale Road frontage and a 40' roadway easement exists along the Lone Mountain Road frontage. Current City roadway standards depict an ultimate roadway dedication of 75' for Scottsdale Road and 55' for Lone Mountain Road. This site will be responsible for dedication of additional R.O.W. to meet these standards. Scenic Corridor and landscape buffers may also be dedicated along the roadway frontages.

Figure 1 on the following page depicts the immediate vicinity of the proposed site.

Figure 2 on page 3 depicts the two streets on the west side of Scottsdale Road in the immediate vicinity of the site. Rancho Del Oro is located approximately 1/8-mile south of Lone Mountain Road, and Wildcat Drive is located approximately 1/4-mile south of Lone Mountain Road. Both streets are unimproved and unpaved roads.

Figure 2 also depicts the two streets west of Scottsdale Road in the immediate vicinity of the site. 71 street 1s approximately 1/8-mile west of Scottsdale Road and is only on the north side of the street. 70 th Street is approximately 1/4-mile west of Scottsdale Road and is on both the north and south sides of Lone Mountain Road. Both 70 th & 71 st Streets are unimproved and unpaved roads. There are no streets on Lone Mountain east of Scottsdale Road that are in close proximily to the site. There are however, planned driveway entrances for the 17 acre, 98,577 s.f. Pederson Shopping Center @ the SEC of Scottsdale Road & Lone Mountain Road.

The proposed site is anticipated to provide one access with Lone Mountain Road. The proposed access is located approximately 275 feet west of Scottsdale Road and is proposed to allow only right-turn-in and right-turn-out access. Typically, right-turn-in and right-turn-out accesses are provided approximately 330 feet from signalized intersections. Due to the limited roadway frontage and size of the parcel, the driveway is located at an appropriate distance from the intersection. Recognizing that the posted speed limit on Scottsdale Road and Lone Mountain is 55 mph at this location, and its proximity to the signalized intersection, a right turn decel lane for east bound traffic and left turn lane for west bound traffic entering the site should be provided. The right-turn-in and right-turn-out access should be constructed to physically prevent left-turn-out movements.

4413 N. Saddlebag Trail, Suite 5, Scottsdale, Arizona 85251
Telephone: 480-946-5020 Fax: 480-946-5041
www.ldservices.net

ATTACHMENT #5

The estimated trip generation for this proposed project was determined through procedures and data contained within the Institute of Transportation Engineers (ITE) *Trip Generation*, 7th Edition, published in 2003. This document provides traffic volume data from existing developments throughout North America that can be utilized to estimate vehicle trips that might be generated from proposed developments. The estimate traffic volume is dependent upon independent variables defined by the characteristics and size of each land use category.

For a land use category, average trip generation rates and trip generation equations are reviewed. The land use code and the procedure that resulted in the largest number of trips selected. Weekday trips can be predicted for morning and evening peak hour of the adjacent street, and morning and evening peak hour of the neighborhood center (also known as generator). Trips can also be predicted for Saturday and Sunday, both daily and peak hour.

The estimated impact this amendment will have on traffic or vehicle trips per day will result in an overall increase:

- The intersection of Scottsdale and Lone Mt. has an average daily volume of 26,000 vehicles.
- The north leg average daily volume (combined) is 21,500.
- The south leg average daily volume (combined) is 21,900.
- The east leg average daily volume (combined) is 4,300.
- No data on the west leg.

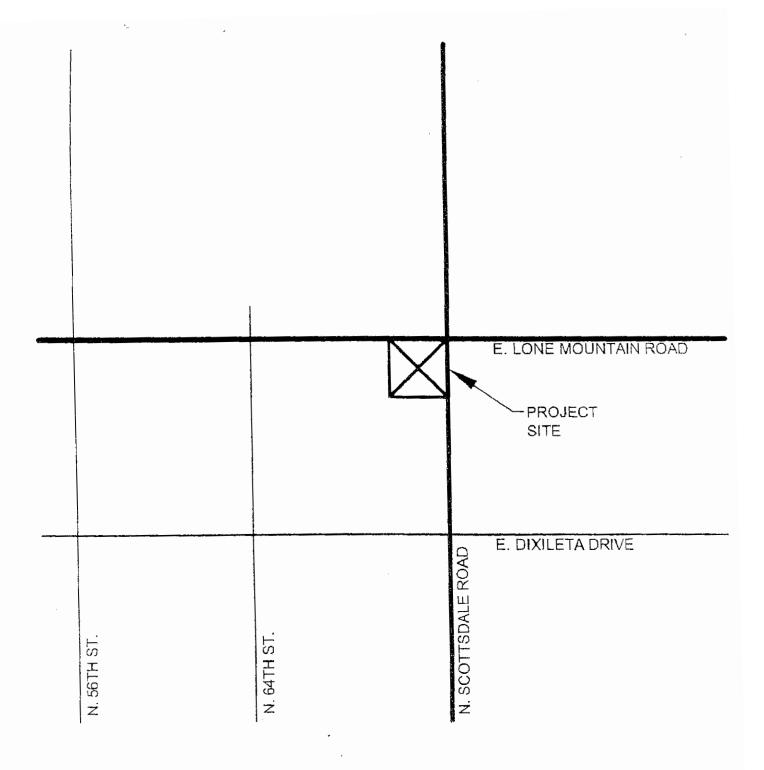
Trip Generation for the Pederson Shopping Center on the SE corner is anticipated to be:

Total Weekday Daily Traffic: 6923
Weekday AM Peak Hour Traffic: 705
Weekday PM Peak Hour Traffic: 517

Estimated Trip Generation for a typical bank of this size is:

Total Weekday Daily Traffic: 980
Weekday AM Peak Hour Traffic: 144
Weekday PM Peak Hour Traffic: 241

The Property and subsequent use will provide a local need serving the neighborhood without acting as a regional draw that would put additional stress on the local transportation network. Therefore, alternative transportation resources can be used to access the Property and ultimately relieve the stress on the City roadway system.

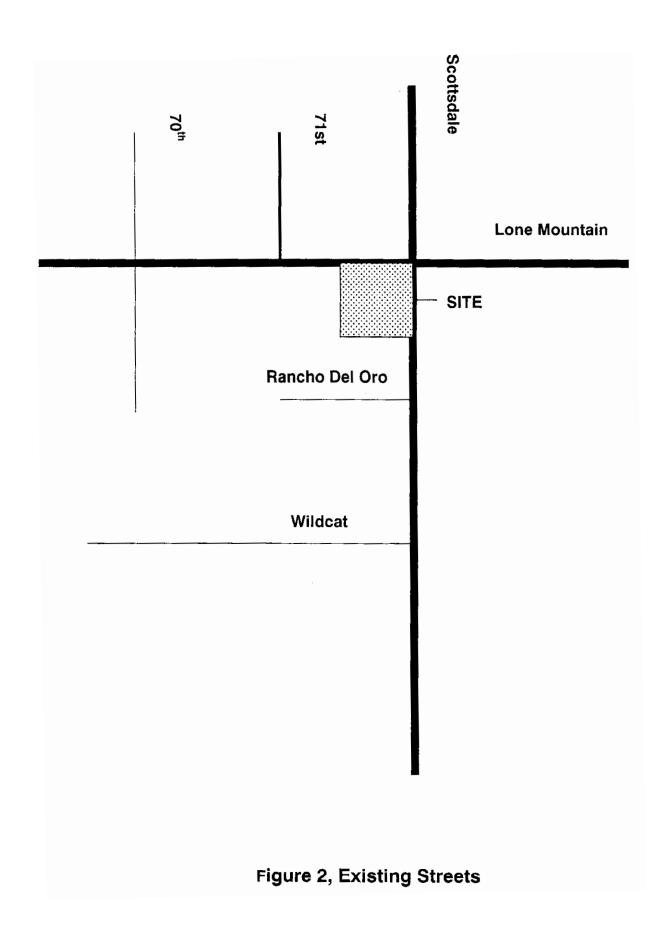


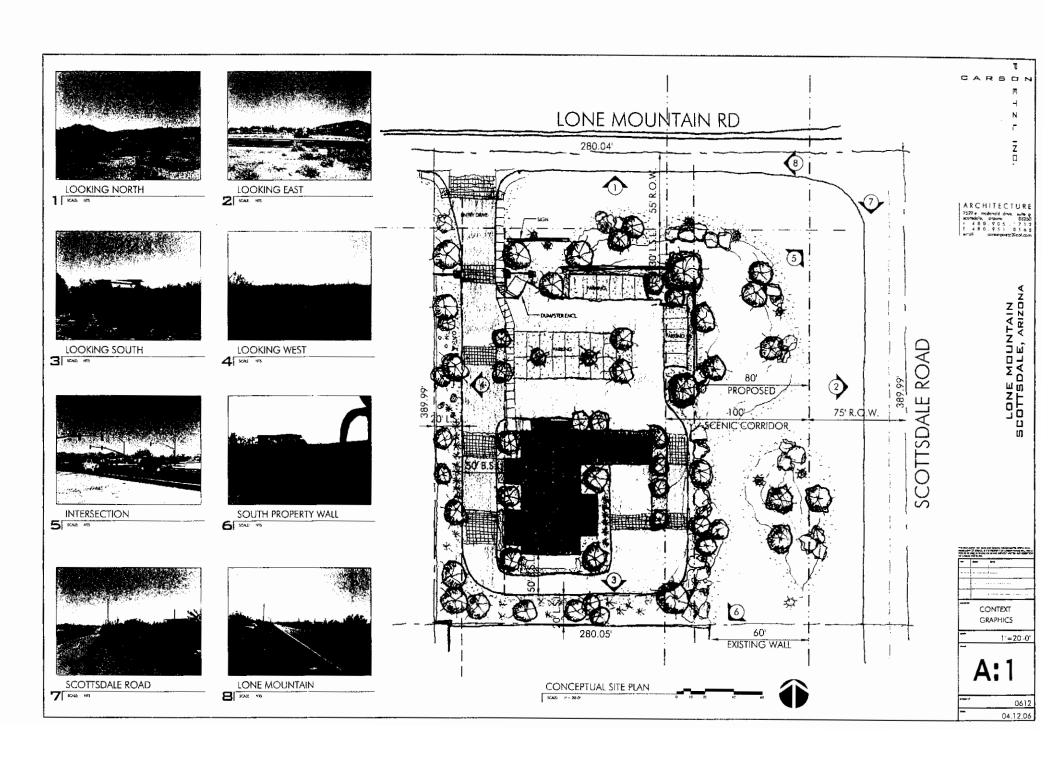
SITE LOCATION MAP

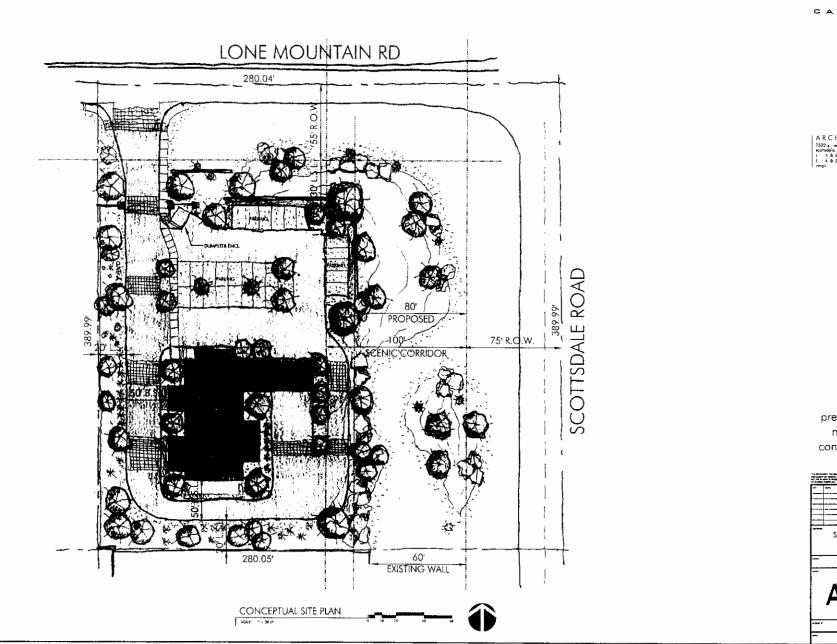
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Figure 1, Vicinity Map







ARCHITECTURE
7572 s. modereté dires, surs p
scomoble, erbone 85250
1 480 905.1712
1 480.951 0165
mmai monantresti@ool.com

LONE MOUNTAIN COTTSDALE, ARIZONA

preliminary not for construction



A:1

0612 04.12.06



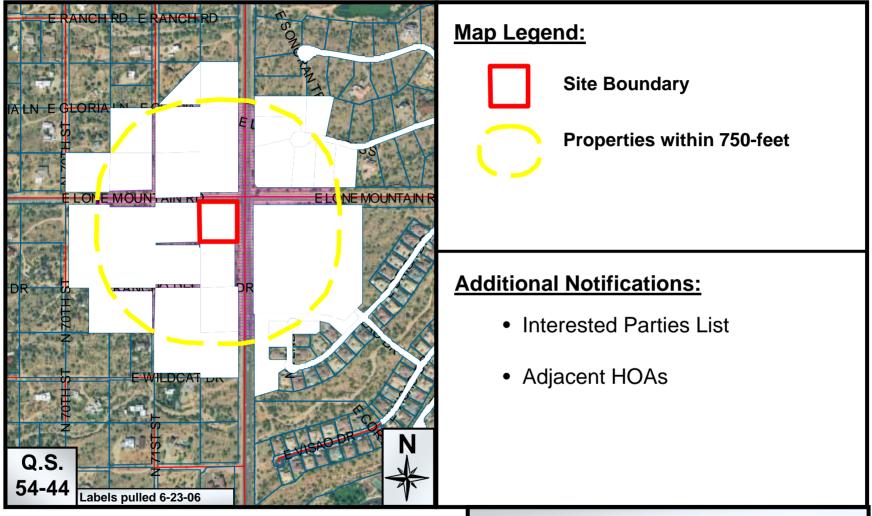


Lone Mountain Bank 7-ZN-2006 & 17-UP-2006

Attachment #6 Citizen Involvement

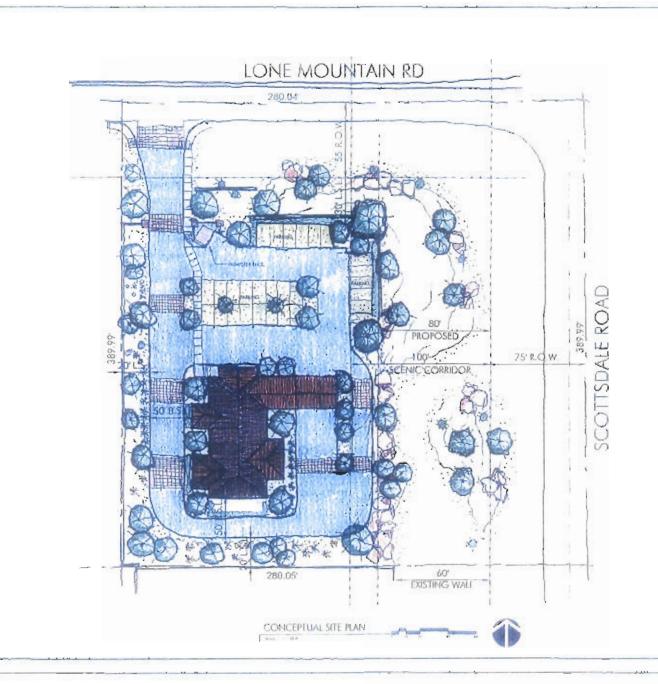
The above attachment is on file at the City of Scottsdale Current Planning office, 7447 E Indian School Road, Suite 105.

City Notifications – Mailing List Selection Map



Lone Mountain Bank

7-ZN-2006 & 17-UP-2006



ABCHITTCTUS preliminary not for construction STEPLAN



CARSON POETZLING.

A R C H T E C

7522 east mcdonald drive, suite g, scottsdale, az 85250 p: 480.905.1712 f: 480.951.0165

PROJECT:

LONE MOUNTAIN BANK 7171 E. LONE MOUNTAIN SCOTTSDALE, ARIZONA



DATE:

PROJECT NO:

REF:

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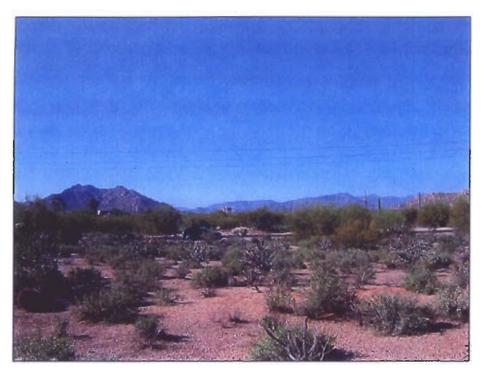
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SUBJECT: PHOTO EXHIBIT KEY PLAN

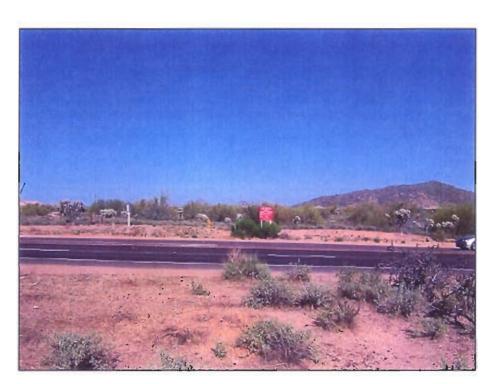
ATTACHMENT #9

7-ZN-2006/17-UP-2006 6/22/2006



LOOKING NORTH

SCALE NTS



LOOKING EAST

CARSON POETZL INC.

ARCHITEC

7522 east mcdonald drive, suite g, scottsdale, az 85250 p: 480.905.1712 f: 480.951.0165 PROJECT:

LONE MOUNTAIN BANK 7171 E. LONE MOUNTAIN SCOTTSDALE, ARIZONA

REF:

KEY PLAN

PROJECT NO:

06:19

DATE:

6.8.06

SUBJECT:

PHOTO EXHIBIT

SHEET 2of7



LOOKING SOUTH

3 SOME SITS



LOOKING WEST

4 SCALE INTS

CARSON POETZL INC. A R C H I T E C T U R E 7522 east mcdonold drive, suite g, scottsdale, az 85250 p: 480.905.1712 f: 480.951.0165

PROJECT:

LONE MOUNTAIN BANK 7171 E. LONE MOUNTAIN SCOTTSDALE, ARIZONA REF:
KEY PLAN
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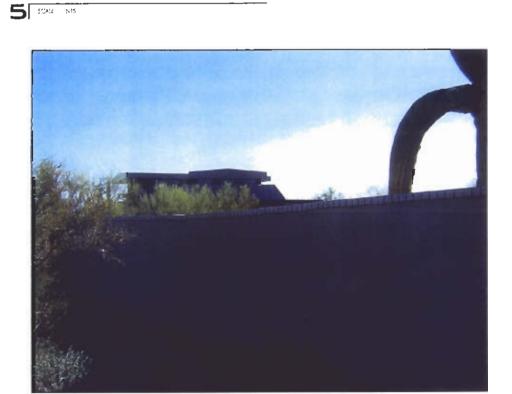
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SHEET 3of7



SCOTTSDALE & LONE MOUNTAIN



WALL OF SOUTH PROPERTY

6 SCALE NIS

CARSON POETZL INC.

7522 east mcdonald drive, suite g, scottsdale, az 85250 p: 480.905.1712 f: 480.951,0165

PROJECT:

LONE MOUNTAIN BANK 7171 E. LONE MOUNTAIN SCOTTSDALE, ARIZONA

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KEY PLAN

PROJECT NO:

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DATE:

6.08.06

SUBJECT:

PHOTO EXHIBIT

SHEET 4of7



PROPERTY TO SOUTH

7 SCALE NIS



LOOKING SOUTH WEST AT SITE

8 ZCATE MIX

CARSON POETZL INC.

TECTURE

7522 east mcdonald drive, suite g, scottsdale, az 85250 p: 480.905.1712 f: 480.951.0165

PROJECT:

LONE MOUNTAIN BANK 7171 E. LONE MOUNTAIN SCOTTSDALE, ARIZONA

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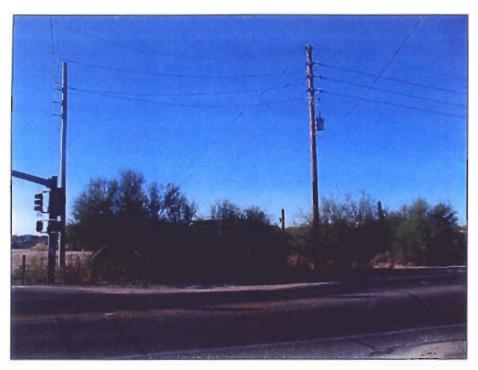
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SHEET 5of7

SUBJECT:

PHOTO EXHIBIT



LOOKING SOUTH ACROSS LONE MOUNTAIN



LOOKING SOUTH ACROSS LONE MOUNTAIN

CARSON POETZLING.

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PROJECT:

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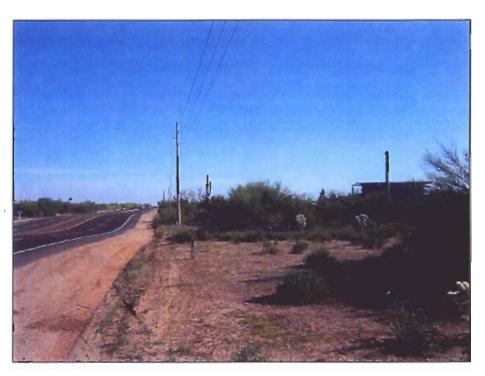
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SHEET 6of7



LONE MOUNTAIN ROAD

20ALE NIS



SCOTTSDALE ROAD

12 SCALL NIS

CARSON POETZL INC. A R C H I T E C T U R E

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lone mountain bank 7171 e. lone mountain Scottsdale, arizona REF:

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PHOTO EXHIBIT

SHEET 7of7